IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

WEDNESDAY, THE 24TH JANUARY 2007 / 4TH MAGHA 1928

WP(C).No. 2861 of 2007(N)

PETITIONER:

BIJU, S/O. PALLAYYAN,
MOOLAYIL THOTTAM VEEDU, AMARAVILA, NEYYATTINKARA.

BY ADV. SRI.PIRAPPANCODE V.S.SUDHIR

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY ITS
   CHIEF SECRETARY, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR,
   COLLECTORATE, THIRUVANANTHAPURAM.

3. THE CIRCLE INSPECTOR OF POLICE,
   PARASSALA POLICE STATION, PARASSALA.

BY GOVT.PLEADER SRI I.V. PROMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.RAMAN,J.

W.P.(C).NO.2861 OF 2007

Dated this the 24th day of January, 2007

JUDGMENT

Petitioner's mini lorry bearing Regn.No.KL-7G/3985 is seized by the Circle Inspector of Police, Parassala alleging offence under the Kerala Protection of River Banks and Regulation of Sand Removal Act, 2001 (herein after referred to as 'the Act'). The matter is pending adjudication before the District Collector. Ext.P1 is an objection preferred by the petitioner before the District Collector. Pending adjudication the petitioner seeks release of the mini lorry.

2. Heard the learned Government Pleader. He submits that to safeguard the interest of the State and imposing a proper condition release of the vehicle could be made.

3. In the factual situation there will be a direction that in case the petitioner pays an amount of Rs.10,000/- (Rupees ten thousand) before the District Collector and furnishes a bank guarantee for a further sum of Rs.10,000/- (Rupees ten thousand) and undertakes to produce the vehicle as and when called for, the vehicle shall be released to him. There will be a further direction that the vehicle shall not be transferred during the pendency of the adjudication proceedings and the Circle Inspector of Police shall communicate the order to the RTO.

Writ Petition is disposed of as above.

P.R.RAMAN,
Judge.

kcv.